

Practitioner's Docket No. 1436/159

PATENT

2617
TFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mitchell Askenas

Application No.: 09/848,812

Group No.: 2617

Filed: 05/04/2001

Examiner: Laye, J.

For: Method and Apparatus for a Cable TV Server

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity. A statement was already filed.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☒ with sufficient postage as first class mail.

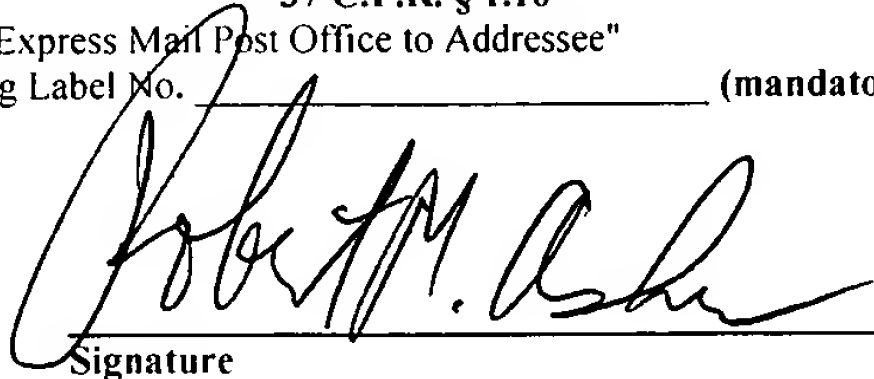
37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.


Signature

Date: February 17, 2006

Robert M. Asher

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA				
				RATE		ADDIT. FEE	
TOTAL	32	— 32	= 9	x \$ 25.00	= \$	0.00	
INDEP.	3	— 5	= 0	x \$ 100.00	= \$	0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	= \$	0.00	
				TOTAL ADDIT. FEE	\$	0.00	

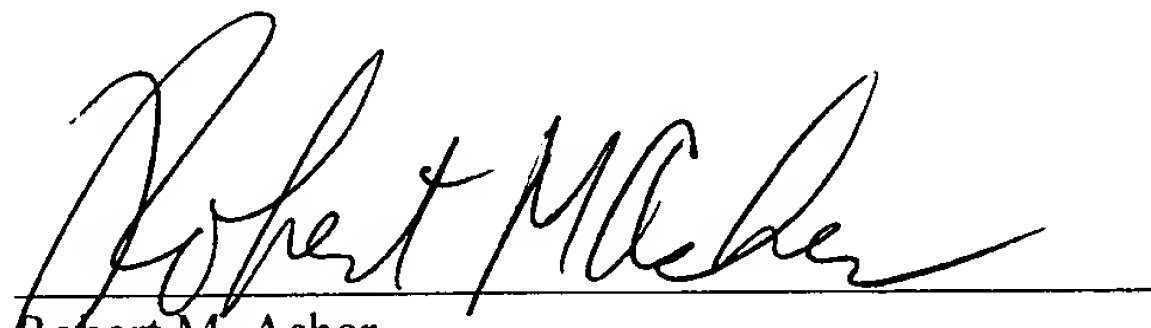
No additional fee for claims is required.

FEE DEFICIENCY

5. If an extension and/or fee is required, charge Account No. 19-4972.

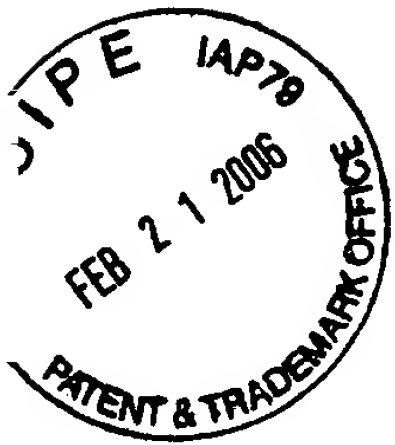
If a fee for claims is required, charge Account No. 19-4972.

Date: February 17, 2006


Robert M. Asher
Registration No. 30,445
BROMBERG & SUNSTEIN LLP
125 Summer Street
Boston, MA 02110-1618
US
617-443-9292
Customer No. 002101

01436/00159 468675.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant: Askenas et al.

Atty Dkt: 1436/159

Serial No: 09/848,812

Art Unit: 2617

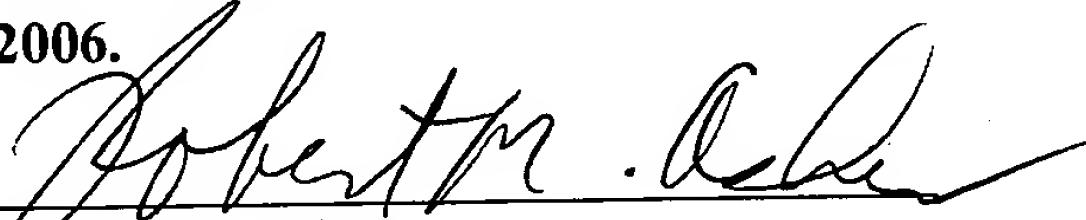
Date Filed: May 4, 2001

Examiner: Laye, J.

Invention: Method and Apparatus for A Cable TV Server Date: February 17, 2006

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **February 17, 2006.**


Robert M. Asher

MAIL STOP AMENDMENT

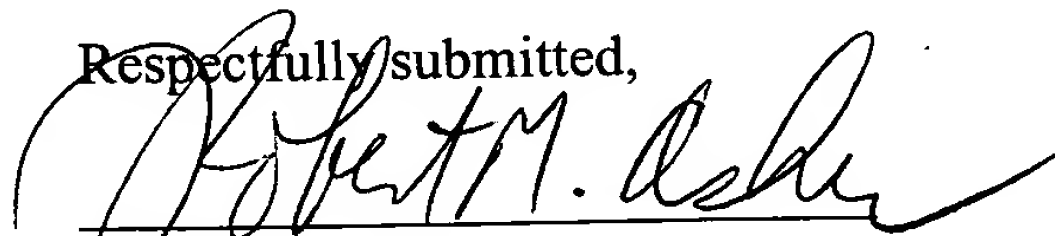
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Dear Sir:

The Office objected to the presentation of claims 3-5 in the Preliminary Amendment filed February 1, 2006. Enclosed is a corrected listing of claims.

Respectfully submitted,



Robert M. Asher

Reg. No. 30,445

Bromberg & Sunstein LLP

125 Summer Street, 11th Floor

Boston, MA 02110-1618

(617) 443-9292

Attorney for Applicants